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Letter dated 20 March 2003 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I write with reference to my letter of 13 June 2002 (S/2002/668).

The Counter-Terrorism Committee has received the attached supplementary report from Afghanistan submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex).

I would be grateful if you could arrange for the present letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Jeremy **Greenstock**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

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Annex

Note verbale dated 10 March 2003 from the Permanent Mission of Afghanistan to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

The Permanent Mission of Afghanistan to the United Nations presents its compliments to the Chairman of the Counter-Terrorism Committee and has the honour to submit herewith the follow-up report of the transitional government of Afghanistan (see enclosure), as requested in the letter dated 4 February 2003 from the Counter-Terrorism Committee addressed to Ravan Farhadi, the Ambassador and Permanent Representative of Afghanistan to the United Nations.

Enclosure

Follow-up report: transitional government of Afghanistan

As indicated in the previous letters dated 10 June 2002 and 13 February 2003 from the Permanent Mission of Afghanistan to the United Nations addressed to the Chairman of the Counter-Terrorism Committee, the Government of Afghanistan, from the outset, has been a vital member of the international coalition in the fight against terrorism. It should also be mentioned that the armed forces of Afghanistan have incessantly been engaged in combating and containing the spread of terrorism in Afghanistan and the region since the emergence of the Taliban and al-Qa'idah terrorist networks.

With regard to the request of the Counter-Terrorism Committee (CTC) concerning information pertaining to laws and administrative measures dealing directly with terrorism, the transitional government would like to inform the Committee that no such law(s) exist. However, the penal code of Afghanistan does contain provisions forbidding criminal activities threatening the internal and external security of Afghanistan.

The following articles of the Penal Code stipulate that specific criminal activities are considered as an act of crime:

- Articles 173-253 stipulate that an attack against any civil servants or public officers is considered as an act of crime
- Articles 344-345 prohibit any destruction of public property and edifice
- Articles 333-339 forbid the provision of safe haven and protection to offenders
- Articles 360-366 state that conducting arson and detonating explosive devices are considered as acts of crime
- Articles 394-397 assert that any individual(s) involved in the slaying of another would be held accountable by law
- Articles 414-417 maintain that "kidnapping" is considered as an act of crime
- Articles 433-435 provide that "threat" will also be considered as an act of crime. Finally, article 51 of the Passport Law prohibits the issuance of passports for any individual indicted of a crime or felony

The foregoing articles dealing with common criminal activities are not sufficient in combating terrorist acts. To this effect, given the fact that Afghanistan is in the process of restructuring its legal and security apparatus owing to two decades of armed conflict, the Government of Afghanistan would like once again to request CTC to dispatch an assessment team to Afghanistan in order to assist in the adoption of legislative acts and administrative measures necessary to meet the requirements mandated in resolution 1373 (2001).